

**SUMMARY SHEET**

**I. Description of Item**

This proposed Ordinance reduces the number of members appointed to the Center City Commission from a total of twenty (20) down to sixteen (16). The reduction is accomplished by the City Council Chairman’s appointees being reduced from two to one, the County Commission Chairman’s appointees being reduced from two to one, and the speakers of the state house and senate being reduced from two to one.

The Ordinance also changes the way the ten (10) city and county mayoral appointees are approved. The existing Ordinance states the city mayor nominates five appointees that must be approved by the city council only and the county mayor’s five appointees must be approved by the county commission only. The proposed amended ordinance requires the city and county mayor’s jointly appoint and jointly approved by the city council and county commission.

The Memphis City Council is considering for Third Reading on August 4, 2009 the same amendment to reflect the above changes, which was introduced by Councilman Bill Boyd. The Tennessee General Assembly recently adopted amended legislation to change the appointments of the house and senate speakers, which was approved in HB 2242 and SB 1424. A copy of the bills and legislative summary is part of the supporting materials to this Ordinance.

**II. Source and Amount of Funds**

<u>A. Amount Expended</u>	<u>Budget Line Item</u>
\$ 0	
 B. <u>All Costs</u>	
N/A	
 C. <u>Additional or Subsequent Obligations or Expenses of Shelby County</u>	
N/A	

**III. Contract Items**

N/A

**IV. Additional Relevant Information**

N/A

Item #: \_\_\_\_\_

Prepared by: Steve Summerall

Approved by: Brian Kuhn

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING PART 2, CHAPTER 16, ARTICLE VI, SECTION 135 OF THE CODE OF ORDINANCES OF SHELBY COUNTY, TENNESSEE TO DECREASE THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE CENTER CITY COMMISSION. SPONSORED BY CHAIRMAN DEIDRE MALONE.**

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**WHEREAS**, the Memphis Center City Commission was originally established to manage and coordinate the comprehensive redevelopment of the Center City area as economic, cultural and governmental heart of the City and County; and

**WHEREAS**, the County Commission desires that the governmental participation on the Board of Directors of the Center City Commission be reduced to better facilitate the operation of the commission.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE**, That Part 2, Chapter 16, Article VI, Section 135 of the Code of Ordinances pertaining to membership of the Center City Commission is hereby deleted in it's entirety and that a new section 16-135 be substituted in lieu thereof, which shall read as follows:

- a. The center city commission shall be composed of sixteen (16) voting members.
- b. Ten (10) members shall be appointed on recommendation of the mayor of the city and the mayor of the county, with approval by the city council and the county commission, who shall hold office for a term of three calendar years and thereafter until their successors are appointed and qualified. A term shall commence on the date of approval of such appointee by both the city council and county commission. The date of approval shall be the day on which the last of the clerks of the city council and the county commission certify that their respective legislative body has approved the appointment. No members shall serve more than two consecutive three-year terms. Such members shall serve without salary. In the event of a vacancy in such appointed members, whether by reason of resignation, death or other cause, the center city commission shall recommend a successor who shall be appointed by the mayors of both the city and county, with approval of the city council and county commission, to fill such unexpired term or terms.
- c. The mayor of the city or his or her designee, the mayor of the county or his or her designee, one member of the city council appointed by the chairperson thereof and one member of the county commission appointed by the chairperson thereof shall serve as ex-officio members of the commission with benefit of vote. The chairperson of

the city council and the chairperson of the county commission shall serve as ex-officio members of the commission without vote.

- d. The speakers of the Senate and the House of Representatives of Tennessee shall each appoint one member of the general assembly from their respective house(s) in accordance with the provision of Tennessee Code Annotated Section 7-84-519, as amended from time to time, to serve as ex-officio members of the commission with the benefit of vote.
- e. All ex-officio members shall serve for the terms of their office.
- f. The members of the commission shall be the board of directors of the commission in its capacity as "district management corporation" within the meaning of and for purposes of Tennessee Code Annotated Section 7-84-519, as same may be amended, or any successor statute thereto. The members of the commission shall be the members of the vacant property review commission created by Section 2-84-9. The members of the general assembly appointed pursuant to subsection d of this section shall serve on any executive committee or management committee of the commission.
- g. The chairperson of the commission shall be elected by the commission from its own membership to serve for a term of one year with the right of succession at the option of the commission. The commission shall likewise appoint a secretary who shall be a member of the commission. The commission shall have the power to appoint such other officers as determined by the commission from time to time.

**BE IT FURTHER ORDAINED,** That the various sections of this Ordinance are severable, and that any portion declared unlawful shall not affect the remaining portions.

**BE IT FURTHER ORDAINED,** That this Ordinance shall become effective according to law.

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DIEDRE MALONE, Chairman

Date: \_\_\_\_\_

\_\_\_\_\_  
A C WHARTON, JR., County Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk

ADOPTED: \_\_\_\_\_  
First Reading

\_\_\_\_\_  
Second Reading

\_\_\_\_\_  
Third Reading